

**Filed 11/29/05 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2005 ND 199

State of North Dakota,

Plaintiff and Appellee

v.

Randal Steen,

Defendant and Appellant

No. 20050216

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Donald L. Jorgensen, Judge.

AFFIRMED.

Per Curiam.

Randal R. Steen, pro se, North Dakota State Penitentiary, P.O. Box 5521, Bismarck, N.D. 58506-5521; submitted on brief.

Cynthia M. Feland, Assistant State's Attorney, 514 E. Thayer, Bismarck, N.D. 58501-4413; submitted on brief.

State v. Steen

No. 20050216

Per Curiam.

[¶1] Randal Steen appeals from a trial court's order denying his motion for a new trial. Steen argues the trial court should have granted him a new trial because he is actually innocent of the charges for which he was convicted. The trial court did not abuse its discretion in denying Steen's motion for a new trial. We summarily affirm under N.D.R.App.P. 35.1(a)(4).

[¶2] Gerald W. VandeWalle, C.J.
Mary Muehlen Maring
Daniel J. Crothers
Dale V. Sandstrom
Carol Ronning Kapsner